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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/294,847	04/20/1999	HY MURVEIT	NUAN-00700	6533
28960	7590	11/20/2003	EXAMINER	
HAVERSTOCK & OWENS LLP			OPSASNICK, MICHAEL N	
162 NORTH WOLFE ROAD			ART UNIT	
SUNNYVALE, CA 94086			PAPER NUMBER	
			2655	10

DATE MAILED: 11/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/294,847

Applicant(s)

MURVEIT ET AL.

Examiner

Michael N. Opsasnick

Art Unit

2655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on received on 10/27/2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-60 is/are pending in the application.
- 4a) Of the above claim(s) 6,16,19,22-26,28,41,44,47-51,53,54,56 and 57 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 52 and 55 is/are allowed.
- 6) ☒ Claim(s) 1-5,7-9,12,17,18,20,27,32-34,37-39,45 and 58-60 is/are rejected.
- 7) ☒ Claim(s) 10,11,13-15,21,29-31,35,36,40,42,43,46 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3-7.

- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Election/Restrictions

1. As per the restriction requirement mailed on 10/20/2003, applicant's chose Species I. As noted by applicant, Species I should also include claims 42 and 43; furthermore, claims 24-26,49-51 are withdrawn from consideration for being dependent upon a claim that has been withdrawn from consideration.

Allowable Subject Matter

2. Claims 52 and 55 are allowable over the prior art of record.
3. Claims 10,11,13-15,21,29-31,35,36,40,42, and 43 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-5,7-9,12,17,18,20,32-34,37-39,45,58-60 are rejected under 35 U.S.C. 102(e) as being anticipated by Hedin et al (6185535).

As per claims 1,27,58-60, Hedin et al (6185535) teaches:

“a speech recognition system.....speech input” as receiving input speech (col. 5 lines 4-6)

“processing means.....first pass results” as first pass performed by ASR (col. 5 lines 27-30, referring back to ASR, col. 4 line 5 – col. 5 line 1);

“wherein the processing means.....first pass results” as switching to a more powerful ASR (col. 5 lines 1-5, when the first pass does not perform, col. 5 lines 17-22)

As per claims 2,9,32,34 Hedin et al (6185535) teaches:

“wherein the first pass results.....corresponding score” as feature matching and decision determines a recognized result (fig. 3, subblock 311);

As per claim 3,33, Hedin et al (6185535) teaches a decision unit deciding if the RAP as performed recognition ,or if needs to go to the server containing a more powerful speech recognition process (col. 9 lines 20-35; since there is a presence of a decision making process, it is inherent that a certain threshold requirement has to be met to decide that a recognition result has been achieved).

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As per claim 4, Hedin et al (6185535) teaches passing along a partial translation to the secondary decision making process -- TAP (col. 9 lines 35-47);

As per claim 5, Hedin et al (6185535) teaches the showing of alternative speech expressions (col. 7 lines 40-65)

As per claims 7,8,37 and 38, Hedin et al (6185535) teaches that the results can either be omitted or selected based upon the final recognition results (col. 11 lines 15-40)

As per claims 12,39, Hedin et al (6185535) teaches spoken input identified as recognizing a 'call' command (col. 9 lines 35-45)

As per claim 17, Hedin et al (6185535) teaches the speech input to be a part of the WAP, (wireless application),(col. 1 lines 20-22, col. 4 lines 1-5)

As per claim 18, Hedin et al (6185535) teaches wireless or wireline application (col. 1 lines 20-30), col. 4 lines 55-65)

As per claims 20,45, Hedin et al (6185535) teaches:

“the first pass speech recognition technique.....speech recognition techniques” as choosing the bigger ASR over the smaller ASR (col. 5 lines 1-15);

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please see related art listed on the PTO-892 form.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872 9314,

(for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

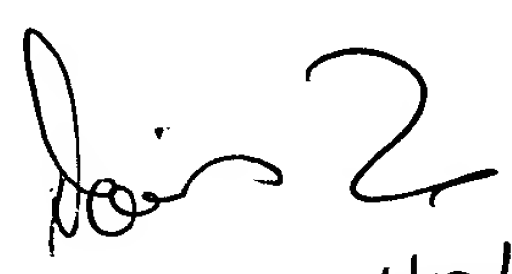
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Opsasnick, telephone number (703)305-4089, who is available Tuesday-Thursday, 9AM-4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Doris To, can be reached at (703)305-4827. The facsimile phone number for this group is (703)872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group 2600 receptionist whose telephone number is (703) 305-4750, the 2600 Customer Service telephone number is (703) 306-0377.

mno

11/16/03


DORIS H. TO
SUPERVISORY PATENT EXAMINER
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